UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,531	09/15/2000	Kannan Varadhan	La Porta 46-16-7-4-6	1919

50959	7590	06/30/2006

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EXAMINER
SHAND, ROBERTA A

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/662,531	VARADHAN ET AL.
	Examiner	Art Unit
	Roberta A. Shand	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 April 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 12 rejected under 35 U.S.C. 102(e) as being anticipated by Inoue (U.S. 6510153

B1).

3.   Regarding claim 12, Inoue teaches (fig. 12) a method for configuring a mobile host when

it powers up in a foreign network (col. 18, lines 59-62) comprising: using a M-IP protocol

(abstract) in the host as the signaling mechanism for reaching the home network and dynamically

allocating a temporary home address (col. 18, lines 63-67); and thereafter using DHCP with the

temporary home address to allocate a permanent home address and other configuration state for

the host (col. 19, lines 1-56).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 1-11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Inoue in view of Warrier.

6.   Regarding claim 1, Inoue teaches (fig. 12) a method creating a bootstrapping agent (col.

18, lines 59-62) that works cooperatively with a M-IP home agent to allocate a temporary home

address to the host that powers up in a foreign network (Inoue teaches that the mobile is turned

on in the visited site); using the M-IP protocol to contact the M-IP home agent and request the

bootstrapping agent to allocate the temporary home address to the host (col. 16, line 60 – col. 17,

line 16) including a permanent home address allocated by a DHCP protocol, thereby allowing

the mobile host that powers up in a foreign network to connect to the internet.

7.   Inoue does not teach using the temporary home address to create a temporary tunnel

between foreign agents associated with the host and the M-IP home agent, wherein the

temporary tunnel is used to communicate configuration information.

8.   Warrier teaches (abstract) using the temporary home address to create a temporary tunnel

between a foreign agent associated with the host and the M-IP home agent, wherein the

temporary tunnel is used to communicate configuration information. It would have been obvious

to one of ordinary skill in the art to adapt this to Inoue's system to ensure that the data is
efficiently sent to the mobile when it is visiting another site (network).

9.   Regarding claim 2, Inoue teaches (col. 5, lines 47-59) the foreign agent is co-located with
the host.

10.   Regarding claim 3, Warrier teaches (fig. 1) the foreign agent is located on a device that is
external to the host and resides in the foreign network

11.   Regarding claims 4 and 6, as for the bootstrapping agent assigning address from a pool of
addresses, it is inherent in Inoue's system that a plurality of addresses are available in dynamic
address allocation protocol (abstract).

12.   Regarding claim 5, as for the private address taking the form 10*, this is a well known
format of address in private network's and It would have been obvious to one of ordinary skill in
the art to adapt this to Inoue and Warrier's as it is in the art.

13.   Regarding claim 7, Inoue teaches (col. 16, line 60 – col. 17, line 67) a DHCP client
located on the host is used to generate messages requesting the configuration information from a
DHCP server via the temporary tunnel.

14.   Regarding claim 8, as for the messages generated by the DHCP client are modified at the

host to have a format consistent (col. 18, lines 59-62) with a DHCP relay, it is inherent in Inoue's

system that messages generated by the DHCP client has a consistent format.

15.   Regarding claim 9, Inoue teaches (fig. 3) a method, comprising: obtaining a temporary IP

home address for the host powering up in a foreign network (col. 18, lines 59-62) without an

IP home address from an IP address source accessible through a mobile IP home agent\;

acquiring configuration parameters including a permanent IP home address from a DHCP server

(fig. 4) in the home network of the host;

16.   Inoue doe not teach establishing a transient tunnel between the mobile IP home agent and

a mobile foreign agent associated with the mobile host while the foreign network.

17.   Warrier teaches establishing a transient tunnel between the mobile IP home agent and a

mobile foreign agent associated with the mobile host while the foreign network. using the

temporary IP home address (col. 6, line 62 – col. 7, line 6); replacing the transient tunnel with a

new tunnel between the mobile IP home agent and the mobile IP foreign agent using the

permanent IP home address, therefore allowing the mobile without an IP home address to

connect to the Internet when powered up in a foreign network (Warrier teaches that once the

mobile is in the foreign network, after registration of the mobile host, a tunnel is created to

transmit data to the mobile host in the foreign network between the foreign agent and the home

agent, see fig, 3). It would have been obvious to one of ordinary skill in the art to adapt this to

Inoue's system to ensure that the data is efficiently sent to the mobile when it is visiting another

site (network).

18.   Regarding claim 10, Inoue teaches (fig. 12) a method for enabling configuration of a

portable host device that powers up in a foreign network to communicate using the internet,

comprising: communicating a temporary home address to the host that powers up in a foreign

network from bootstrapping agent operating cooperatively with a mobile IP home agent that

serves the host device when it operates in the foreign network (col. 18, lines 59-62); and

obtaining a permanent address from a DHCP server via the transient bi-directional

communication link, wherein the permanent address use thereafter to configure the host to

communicate with the internet.

19.   Inoue does not teach establishing a transient bi-directional link between the host and the

mobile IP home agent using the M-IP protocol and the temporary home address

20.   Warrier teaches establishing a transient bi-directional link between the host and the

mobile IP home agent using the M-IP protocol and the temporary home address (col. 6, lines 33

– 62, Warrier teaches data being sent to the mobile via the home agent, because of the permanent

address being associated with the home agent, and the home agent sending the data to the mobile

host via the foreign agent see fig. 3). It would have been obvious to one of ordinary skill in the

art to adapt this to Inoue's system to ensure that the data is efficiently sent to the mobile when it

is visiting another site (network).

21.   Regarding claim 11, Warrier teaches (fig. 3) additional configuration parameters are

provided to the host via the transient bi-directional communication link. (Warrier teaches setting

up the lifetime with the home agent which is additional configuration parameters)

22   Regarding claim 13, Inoue teaches (fig. 12) a method, comprising: a M-IP protocol to

connect the mobile host that powers up in a foreign network to is home network (col. 18line 59 -

62) using an IP broadcasting (col. 12, lines 20-28) protocol so that the host can discover a

addressing DHCP server in its home network, and using the DHCP protocol to communicate

addressing and configuration information between the server and the mobile (col. 1, 1-56).

23.   Inoue does not teach setting up a temporary IP tunnel

24.   Warrier teaches (abstract) using the temporary home address to create a temporary tunnel

between a foreign agent associated with the host and the M-IP home agent, wherein the

temporary tunnel is used to communicate configuration information. It would have been obvious

to one of ordinary skill in the art to adapt this to Inoue's system to ensure that the data is

efficiently sent to the mobile when it is visiting another site (network).

25.   Regarding claim 14, Inoue teaches (fig. 12) a method for configuring the mobile host

when it powers up in a foreign network without an IP home agent address, comprising: obtaining

a temporary IP home address for the host from an IP address source accessible through the home

server (col. 6, lines 43-54);

26.   Inoue does not teach establishing a transient tunnel between the mobile IP home server

and a mobile foreign server using the temporary IP home address.

27.   Warrier teaches establishing a transient tunnel between the mobile IP home server and a

mobile foreign server using the temporary IP home address (col. 6, lines 63 – col. 7, line 6);

acquiring via the transient tunnel, permanent configuration parameters including a permanent IP

home address in the region served by the home server (Warrier teaches that the MBR created by

the home agent has the IP address of the mobile); replacing the transient tunnel with a new

tunnel between the home server and the foreign server using the permanent IP home address. It

would have been obvious to one of ordinary skill in the art to adapt this to Inoue's system to

ensure that the data is efficiently sent to the mobile when it is visiting another site (network).

Response to Arguments

28.   Applicant's arguments filed April 17, 2006 have been fully considered but they are not

persuasive. Applicant argues that Inoue does not teach a method for configuring a mobile host

when it powers up in a foreign network. Applicant is directed to col. 18, lines 59-62 where is

cites "When a *mobile computer (mobile host) is turned on (powers up) at the visited site*, the

mobile computer acquires the care-of-address". Applicant also argues that Inoue does not teach

using the mobile host as the signaling mechanism for reaching the home network.....and

dynamically allocating a permanent home address for the mobile host. Applicant is directed to

col. 17, lines 1-11 and col. 18, lines 63-67 where it cites the mobile computer (mobile host)

receives a dynamic address allocation and the Mobile IP processing is between the mobile

computer (mobile host) and the home agent (home network). Applicant argues that Inoue does

not teach the home DHCP server to dynamically assign the permanent home address of the home

network to the mobile host. Applicant is directed to fig. 16, where it is depicted the DHCP is in

the home network, also fig. 12, where it shows the DHCP allocating a home address to the

mobile computer (mobile host), and col. 17, lines 1-11, where it is cited the DHCP address is the home address.

Conclusion

29.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

30.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

31.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.

32.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

33.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roberta A Shand
Examiner
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